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AUG 05 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
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AUG 5 2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**'08 MJ 8695**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Roman Roman ROMAN

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

On or about August 4, 2008, within the Southern District of California, defendant Roman Roman ROMAN did knowingly and intentionally import approximately 41.74 Kilograms (91.82 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

[Handwritten signature of Douglas A. Stryckmeyer]
Douglas A. Stryckmeyer
Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO, BEFORE ME, AND SUBSCRIBED IN MY PRESENCE THIS 5th
DAY OF August, 2008.

[Handwritten signature of Peter C. Lewis]
PETER C. LEWIS
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA
2 v.
3 Roman Roman ROMAN

4
5 STATEMENT OF FACTS
6
7

8 This complaint is based upon the personal observations, investigation and
9 information provided to U.S. Immigration and Customs Enforcement Special Agent
10 Douglas Struckmeyer.
11

12 On August 4, 2008, Roman Roman ROMAN entered the United States at the
13 Calexico, California, West Port of Entry. ROMAN was the driver and sole occupant of a
14 2004 Chevrolet Impala registered in his name.
15

16 Customs and Border Protection Officer (CBPO) J. Mendez conducted a primary
17 inspection of ROMAN and the vehicle. CBPO Mendez received a negative Customs
18 declaration from ROMAN. CBPO Mendez noticed that the vehicle a temporary
19 registration. ROMAN and the vehicle were referred to the vehicle secondary area for
20 further inspection.
21

22 CBPO Vella encountered ROMAN and the vehicle in the secondary inspection
23 area. CBPO Vella received a negative Customs declaration from QUINTERO. CBPO
24 Vella requested that Canine Enforcement Officer (CEO) Hedlund to use his Narcotic
25 Detector Dog (NDD) to screen the vehicle. CEO Hedlund's NDD alerted to the dash of
26 the vehicle, indicating the presence of the odor of a controlled substance in that area.
27
28

29 After further inspection, a non-factory compartment was found in the vehicle's
30 dash. The compartment concealed 42 packages containing a green leafy substance
31 which field-tested positive for marijuana. The total weight of the packages was 41.74
32 Kilograms (91.82 pounds).
33

Special Agent (SA) D. Struckmeyer advised ROMAN of his rights per Miranda. ROMAN stated he understood his rights and was willing to answer questions without the presence of an attorney.

ROMAN stated that he was hired to smuggle the marijuana into the United States by two men named JOSE and PELON. He said that he was supposed to drive the vehicle to the Wal-Mart parking lot in Calexico, California. He was then going to leave the vehicle's keys under the floor mat of the vehicle, and return to Mexico. He was supposed to be paid \$400 for smuggling the marijuana into the United States.